

**To:** Albright, David[Albright.David@epa.gov]  
**Cc:** Montgomery, Michael[Montgomery.Michael@epa.gov]  
**From:** Mogharabi, Nahal  
**Sent:** Wed 4/29/2015 9:33:30 PM  
**Subject:** FW: "Primacy"?...Re: IMPORTANT: Oil-Drilling Injection Wells and Hydrochloric Acid for Well Stimulation in LA City neighborhoods

Below is follow up from the reporter. Can you help?

I tried to look up revoking primacy, but couldn't seem to find information on this. Can it be done?

**From:** Justin Bass [mailto:Ex. 6 - Personal Privacy]  
**Sent:** Tuesday, April 28, 2015 4:55 PM  
**To:** Mogharabi, Nahal  
**Subject:** Re: "Primacy"?...Re: IMPORTANT: Oil-Drilling Injection Wells and Hydrochloric Acid for Well Stimulation in LA City neighborhoods

Nahal,

Can EPA revoke primacy?

How many classifications of wells are there? More than six? To clarify, Class 2 wells, as in "UIC program for Class II wells," refers to oil wells or injection wells, or both?

[http://water.epa.gov/type/groundwater/uic/wells\\_drawings.cfm](http://water.epa.gov/type/groundwater/uic/wells_drawings.cfm)

Class 2 or "Class II" is both "oil & gas recovery" as well as "enhanced recovery," meaning drilling and underground injection?

Who regulates Class 6 or "Class VI" wells?

Thanks for your help,

Justin

On Tue, Apr 28, 2015 at 4:15 PM, Mogharabi, Nahal <[MOGHARABI.NAHAL@epa.gov](mailto:MOGHARABI.NAHAL@epa.gov)> wrote:

Hi Justin,

Our granting of Class II UIC primacy to CA is documented at 40 CFR part 147.250. Below is the full text of that sub-section of the regulations.

I also wanted to make sure you have seen our website with additional information and documents on this issue: <http://www.epa.gov/region9/mediacenter/uic-review/index.html>

**§147.250 State-administered program—Class II wells.**

The UIC program for Class II wells in the State of California, except those on Indian lands, is the program administered by the California Division of Oil and Gas, approved by EPA pursuant to SDWA section 1425.

(a) *Incorporation by reference.* The requirements set forth in the State statutes and regulations cited in this paragraph are hereby incorporated by reference and made a part of the applicable UIC program under the SDWA for the State of California. This incorporation by reference was approved by the Director of the Federal Register on June 25, 1984.

(1) California Laws for Conservation of Petroleum and Gas, California Public Resources Code Div. 3, Chapt. 1, §§3000-3359 (1989);

(2) California Administrative Code, title 14, §§1710 to 1724.10 (May 28, 1988).

(b) The Memorandum of Agreement between EPA Region IX and the California Division of Oil and Gas, signed by the EPA Regional Administrator on September 29, 1982.

(c) *Statement of legal authority.* (1) Letter from California Deputy Attorney General to the Administrator of EPA, "Re: Legal Authority of California Division of Oil and Gas to Carry Out Class II Injection Well Program," April 1, 1981;

(2) Letter from California Deputy Attorney General to Chief of California Branch, EPA Region IX, "Re: California Application for Primacy, Class II UIC Program," December 3, 1982.

(d) The Program Description and any other materials submitted as part of the application or as supplements thereto.

[49 FR 20197, May 11, 1984, as amended at 52 FR 17681, May 11, 1987; 56 FR 9412, Mar. 6, 1991]

Best,

Nahal

**From:** Justin Bass [mailto:Ex. 6 - Personal Privacy]

**Sent:** Tuesday, April 28, 2015 2:34 PM

**To:** Mogharabi, Nahal; Skadowski, Suzanne

**Subject:** "Primacy"?...Re: IMPORTANT: Oil-Drilling Injection Wells and Hydrochloric Acid for Well Stimulation in LA City neighborhoods

Nahal,

Would you please provide me the full text of the EPA documentation that gave total authority to California's Department of Conservation and its Division of Oil, Gas and Geothermal Resources (DOGGR) to regulate oil drilling and injection wells dumping toxic waste into California's ground?

"Primacy," is this a law? Did EPA give "primacy" license to the State of California over oil drilling and injection wells?

Thank you for your help

Justin Bass

Reporter

Ex. 6 - Personal Privacy

On Mon, Apr 20, 2015 at 9:49 AM, Justin Bass <Ex. 6 - Personal Privacy> wrote:

Nahal, Suzanne,

I am a freelance reporter doing a story on oil drilling in LA City neighborhoods. I am pitching this story to the LA Times, NPR and other media outlets.

Please call me at your earliest convenience. I want to talk with you about reclassification of injection wells and the use of hydrochloric acid for well stimulation in residential neighborhoods.

#1 Is it legal to use oil-drilling injection wells in residential neighborhoods?

#2 Is it legal to use hydrochloric acid for well stimulation in residential neighborhoods?

Thank you for your help,

Justin Bass

**Ex. 6 - Personal Privacy**